

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 15, 2001**

## DIVISION ONE

B143411 People (Not for Publication)  
v.  
Christian M.

The trial court's order directing the Youth Authority to set amount of restitution is vacated and set aside. The matter is remanded for the trial court to conduct a restitution hearing and set amount of restitution. The trial court is to strike the imposition of a penalty assessment on the restitution fine. In all other respects, the judgment is affirmed. The trial court is to issue a new abstract of judgment with a copy sent to the Youth Authority.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Mallano, J.

B146134      People      (Not for Publication)  
v.  
Lester G.

We affirm the order of wardship.

Ortega, J.

We concur:     Spencer, P.J.  
                      Mallano, J.

May 15, 2001-Continued

## DIVISION ONE (Continued)

B140785      People      (Not for Publication)  
v.  
Willie L. Mitchell

The judgment is affirmed.

Ortega, J.

We concur:     Spencer, P.J.  
                      Mallano, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B142918 People v. McGuire  
B144144 People v. Taylor  
B145222/B146908 Children & Family Services v. Eduardo Q.  
B146922 Children & Family Services v. Amanda C.  
B143276 Children & Family Services v. Angelica M.  
B142848 Children & Family Services v. Roger E.  
B148453 Anna V., v. S.C.L.A.  
B143760 People v. Munguia  
B141539 People v. Moore  
B143749 People v. Baines  
B143441 People v. Glenn C.  
B139923 People v. Sias  
B141026 People v. Kaulick  
B130995 People v. Escamilla

Argument waived, cause submitted.

DIVISION THREE (Continued)

B138525 Stein  
v.  
Strong

Merits:

Argued by Jonathan Stein, appellant in propria persona. No appearance by respondent. Cause submitted.

B133453 Dana Commercial Credit  
v.  
Ferns & Ferns et al.

Merits:

Argued by Barbara Ciolino for respondent. No appearance by appellants. Cause submitted.

B112469 People  
v.  
Scott

Merits:

Argued by Gideon Margolis for appellant and by Myung Park, deputy attorney general, for respondent. Cause submitted.

B139625 People  
v.  
Mercado

Merits:

Argued by Eileen S. Kotler for appellant and by Steven Mercer, deputy attorney general, for respondent. Cause submitted.

DIVISION THREE (Continued)

B145394      Gangwish  
                 v.  
                 Workers Compensation Appeals Board  
                 City of Los Angeles Fire Department

Merits:  
Argued by Ernest A. Canning for petitioner and by Robert F. Spoeri for respondent.  
Cause submitted.

B146412      White  
                 v.  
                 United Parcel Service

Merits:  
Argued by Carroll A. McCortney for appellant and by Pamela L. Hemminger for  
respondent. Cause submitted.

B139147      City of Torrance  
                 v.  
                 State Compensation Insurance Fund

Merits:  
Argued by Robert P. Mallory for appellant and by Jay R. Ziegler for respondent.  
Cause submitted.

Court recessed at 12:10 P.M.

Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B142811      Construction Protective Services, Inc.  
                 v.  
                 TIG Specialty Insurance Company

Merits:  
Argued by Donald B. Devirian for appellant and by Alan B. Yuter for respondent.  
Cause submitted.

DIVISION THREE (Continued)

B137350      Hanns  
                 v.  
                 Delcoure

Merits:

Argued by Philip A. Wasserman for appellant and by Charles A. VerHoeve for respondent. Cause submitted.

B140923      Moran  
                 v.  
                 Studio Colony Apartments

Merits:

Argued by Michael P. Thomas for appellant and by Michael Brewer for respondent. Cause submitted.

B147470      Dayco Products, Inc.  
                 v.  
                 S.C.L.A.  
                 Whirlpool Corporation, et al.

Merits:

Argued by Leslie Anne Denny and by Stephen Acker for petitioner and by Tina M. Alleguez and Bruce N. Graham for real parties in interest. Cause submitted.

B144957      People  
                 v.  
                 McClellan

Merits:

Argued by Linda C. Puentes, deputy district attorney, for appellant and by Albert J. Menaster, deputy public defender, for respondent. Cause submitted.

### DIVISION THREE (Continued)

B147464      20th Century Insurance Company  
v.  
S.C.L.A.  
Ahles

Merits:

Argued by David Ettinger and Ellis Horvitz for petitioner, by Dale E. Washington for real party in interest and by Jeffrey Isaac Ehrlich for amicus curiae. Cause submitted.

B141410      Whitaker et al.  
v.  
Fire Insurance Exchange

Merits:

Argued by Jeffrey D. Diamond for appellants, by Ellis Horvitz for respondent and by Jeffrey Isaac Ehrlich for amicus curiae. Cause submitted.

Court adjourned at 4:50 P.M.

B133119      Jeff Greene  
v.  
Imagine Entertainment

Filed order denying petition for rehearing.

## DIVISION FOUR

B142189 People (Not for Publication)  
v.  
Ulloa

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur:     Hastings, J.  
                         Curry, J.

## DIVISION FOUR (Continued)

B143041      People      (Not for Publication)  
v.  
Salazar

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur:     Hastings, J.  
                         Curry, J.

B139224      People      (Not for Publication)  
v.  
Garcia

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur:     Hastings, J.  
                         Curry, J.

B125543      Galvez      (Certified for Publication)  
v.  
Fields

The judgment is reversed and the matter is remanded for a new trial on all issues. On remand, this case shall be assigned to a different trial judge. (Code Civ. Proc., § 170.1, subd. (c).) Plaintiff shall recover his costs on appeal.

Vogel (C.S.), P.J.

We concur:     Hastings, J.  
                         Curry, J.

## DIVISION FOUR (Continued)

B140464      Suh      (Not for Publication)  
v.  
Corsair

The judgment is reversed, and the matter is remanded to the trial court to enter a new judgment in accordance with this opinion. Appellants are awarded their costs.

Curry, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B144699 Elastic USA (Not for Publication)  
v.  
Transworld Shipping (USA) Inc.

The judgment is reversed and the matter is remanded to the trial court for further proceedings in keeping with the views expressed in this opinion. Appellant is to recover costs of appeal.

Vogel (C.S.), P.J.

We concur:     Hastings, J.  
                       Curry, J.

B144009      Duker      (Not for Publication)  
v.  
The Boeing Company

The judgment is affirmed.

Curry, J.

We concur:     Vogel (C.S.), P.J.  
                         Hastings, J.



DIVISION FOUR (Continued)

B143317      Ong      (Not for Publication)

v.

The Regents of the University of California

The judgment is affirmed.

Curry, J.

We concur:    Vogel (C.S.), P.J.  
                     Hastings, J.

B139295      Cremar SPA      (Not for Publication)

v.

S&E Stone Inc.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur:    Hastings, J.  
                     Curry, J.

B140189      Loof      (Not for Publication)

v.

South Coast Air Quality Management District

The judgment is affirmed.

Curry, J.

We concur:    Vogel (C.S.), P.J.  
                     Hastings, J.

DIVISION FIVE

B140184      Robert Paul      (Not for Publication)  
v.  
McDonnell Douglas

The judgment is affirmed. Each party to bear their own costs.

Willhite, J. (Assigned)

We concur: Grignon, Acting P.J.  
Armstrong, J.

B143240      Los Angeles County, D.C.F.S. (Not for Publication)  
v.  
Michael G.  
In re Alan M.

The appeal is dismissed.

Willhite, J. (Assigned)

We concur: Grignon, Acting P.J.  
Armstrong, J.

B138597      Paul Quatrochi      (Not for Publication)  
v.  
Joseph Guttman

The April 18, 2001, modified judgment is reversed as to paragraphs 1, 3-6, 8-11, and 13-15. In all other respects, the judgment is affirmed. The trial court is directed, on remand, to enter a new judgment that omits paragraphs 1, 3-6, 8-11, and 13-15. Defendant is to recover his costs on appeal from plaintiff.

Turner, P.J.

We concur: Grignon, J.  
Willhite, J. (Assigned)

## DIVISION FIVE (Continued)

B143340      Los Angeles County, D.C.S.  
v.  
Tammy Q., et al.

Filed order modifying opinion. (No change in the judgment)

DIVISION SIX

B134372      People      (Not for Publication)  
v.  
Mangan

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B142680      People      (Not for Publication)  
v.  
Hernandez

The judgment (order denying suppression motion) is affirmed.

Yegan, J.

We concur:     Gilbert, P.J.  
                         Coffee, J.

DIVISION SEVEN

B146940      Francois  
                 v.  
                 City of Los Angeles

B148467      Francois  
                 v.  
                 City of Los Angeles

Filed order consolidating above captioned appeals.